

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

Derrick Lee Cardello-Smith,

Plaintiff,

Case No. 24-12647

v.

Judith E. Levy

United States District Judge

Sean Combs,

Mag. Judge Kimberly G. Altman

Defendant.

\_\_\_\_\_/

**ORDER GRANTING IN PART PLAINTIFF'S MOTION FOR  
EXTENSION OF TIME TO FILE RESPONSE AS TO MOTION TO  
DISMISS [16]**

Before the Court is *pro se* Plaintiff Derrick Lee Cardello-Smith's motion to extend time. (ECF No. 16.) On or about June 10, 2024, Plaintiff filed this action against Defendant Sean Combs in the Lenawee County Circuit Court. (*See* ECF No. 1, PageID.10–14.) On October 7, 2024, Defendant removed the case to this Court. (*Id.* at PageID.1–5.) Defendant then filed a motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(5) and (6). (ECF No. 2.) On November 4, 2024, this Court issued a Notice of Determination of Motion Without Oral Argument. (ECF No. 24.)

On October 22, 2024, Plaintiff filed the “Motion for Extension and/or Enlargement of Time to Respond Directly to the Defendants Motion to Dismiss Served Upon Plaintiff on October 17, 2024.” (ECF No. 16.) On November 5, 2024, Defendant filed a response opposing Plaintiff’s motion for an extension. (ECF No. 30.) Plaintiff seeks a ninety-day extension to file a response. (ECF No. 16, PageID.646.) Plaintiff’s motion for an extension of time for his response to Defendant’s motion to dismiss is GRANTED IN PART. The deadline for Plaintiff to file a response to Defendant’s motion to dismiss is **December 3, 2024**.

IT IS SO ORDERED.

Dated: November 7, 2024  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or first-class U.S. mail addresses disclosed on the Notice of Electronic Filing on November 7, 2024.

s/William Barkholz  
WILLIAM BARKHOLZ  
Case Manager